

# **Exhibit 4**

Confidential - Subject to Protective Order

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IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

- - -  
IN RE: ETHICON, INC. : MDL NO. 2327  
PELVIC REPAIR SYSTEM, :  
PRODUCTS LIABILITY :  
LITIGATION :  
- - -

AND VARIOUS OTHER CROSS-NOTICED ACTIONS

- - -  
May 15, 2013  
- - -

CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

Videotaped 30(b) (6) deposition of DANIEL J. SMITH taken pursuant to notice, was held at the law offices of Riker Danzig Scherer Hyland & Perretti LLP, Headquarters Plaza, One Speedwell Avenue, Morristown, New Jersey, beginning at 9:35 a.m., on the above date, before Ann Marie Mitchell, a Federally Approved Certified Realtime Reporter, Registered Diplomate Reporter and Notary Public for the State of New Jersey.

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1                   A.           That's correct.

2                   Q.           What was the reason to do laser cut  
3                   mesh?

4                   A.           I think there was two reasons for  
5                   laser cut mesh. It had started, I would say before  
6                   my role in Gynecare, in terms of either doing it as  
7                   a ultrasonically cut mesh or some other means of  
8                   cutting the mesh from a manufacturing perspective.  
9                   There was also, because when it was mechanically  
10                  cut, if you were to pull on the mesh, because of the  
11                  weave itself, small particles might fall off the  
12                  edges of the mesh. And the goal was to try to  
13                  minimize that.

14                  Q.           So one of the reasons to do laser cut  
15                  mesh was the mechanically cut mesh, when stretched,  
16                  may fray or have particles come off?

17                  A.           That's one of the reasons.

18                  Q.           And those -- that could happen in a  
19                  woman's body?

20                  A.           Sure. The Prolene is implantable,  
21                  the material is implantable.

22                  Q.           Another --

23                                   One of the effects of laser cutting  
24                           the mesh is it made that mesh stiffer too; isn't  
25                           that right?